

# **Exhibit 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Case No.: 20-CV-954

DEPOSITION OF NICHOLAS DEL ROSSO

## Volume I

Contains Confidential Testimony

2:07 P.M.

Monday, February 13, 2023

By: Lisa Taylor, RPR

## 1 A P P E A R A N C E S

2 On behalf of the Plaintiff:

3 MILLER &amp; CHEVALIER CHARTERED

4 BY: KIRBY D. BEHRE, ESQ.

5 IAN HERBERT, ESQ.

6 900 16th Street NW

7 Washington, DC 20006

8 (202) 626-5800

9 kbehre@milchev.com

10 iherbert@milchev.com

11 WOMBLE BOND DICKINSON (US), LLP

12 BY: CHRISTOPHER W. JONES, ESQ.

13 555 Fayetteville Street

14 Suite 1100

15 Raleigh, NC 27601

16 (919) 755-2100

17 chris.jones@wbd-us.com

18 On behalf of the Defendants:

19 NELSON, MULLINS, RILEY &amp; SCARBOROUGH, LLP

20 BY: BRANDON S. NEUMAN, ESQ.

21 JOHN BRANCH, III, ESQ.

22 - (via videoconference)

23 MATT GORGA, ESQ.

24 301 Hillsborough Street

25 Suite 1400

Raleigh, NC 27603

(919) 329-3800

brandon.neuman@nelsonmullins.com

john.branch@nelsonmullins.com

matt.gorga@nelsonmullins.com

26 NELSON, MULLINS, RILEY &amp; SCARBOROUGH, LLP

27 BY: SAMUEL ROSENTHAL, ESQ.

28 101 Constitution Ave NW

29 Suite 900

30 Washington, DC 20001

31 (202) 689-2951

32 sam.rosenthal@nelsonmullins.com

1                   Q.        When is the last time you corresponded  
2 with Mr. Hughes?

3                   A.        I have no -- I really have no idea. I  
4 don't remember.

5                   Q.        And by correspond, of course I mean  
6 text or e-mail or anything other than --

7                   A.        Phone call, yeah. No, I don't  
8 remember that.

9                   Q.        Caroline Black of Dechert, have you  
10 ever spoken to her?

11                  A.        I've spoken to her when I first got  
12 interviewed in 2014. That's the last time I spoke  
13 to her.

14                  Q.        And when you say "interviewed," what  
15 are you referring to?

16                  A.        They wanted to conduct -- I'm assuming  
17 that this is the purpose of it, but I don't know --  
18 that they wanted to interview me before retaining  
19 me.

20                  Q.        And by "they," you mean Dechert?

21                  A.        Dechert.

22                  Q.        And where did this interview take  
23 place?

24                  A.        In London.

25                  Q.        And where in London?

1 Q. And what do you understand those  
2 allegations to be?

3 A. That I instructed CyberRoot to hack  
4 Mr. Azima.

5 Q. And do you know why Mr. Jain says  
6 that?

7 A. I'm going to say the same answer as I  
8 did before. I have no evidence, but I believe he's  
9 being paid handsomely to say that.

10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED] [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]

15 Q. Did Mr. Jain ever work for you?

16 A. Yes.

17 Q. He did?

18 A. Yeah.

19 Q. He did. And did you pay him?

20 A. I did, yes.

21 Q. And in your words, did you pay him  
22 handsomely?

23 A. No.

24 Q. Is --

25 MR. NEUMAN: Are you asking him

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED]  
4 MR. NEUMAN: Objection to scope.  
5 Vague and ambiguous. Overly broad.

6 [REDACTED] [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 BY MR. BEHRE:

11 [REDACTED] [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED] [REDACTED]

1 MR. BEHRE: I'm not asking about  
2 content.

3 MR. NEUMAN: You're asking him what he  
4 became aware of from his own counsel. That's  
5 privileged.

6 I'm instructing him not to answer.

7 MR. BEHRE: No, I didn't -- I didn't  
8 say anything about counsel.

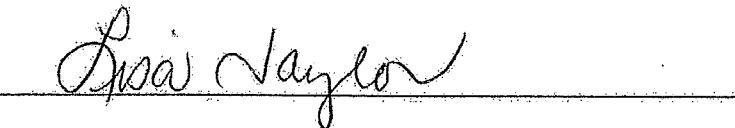
9 [REDACTED] [REDACTED]  
10 [REDACTED]  
11 [REDACTED] [REDACTED] [REDACTED]  
12 [REDACTED]  
13 [REDACTED] [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED] [REDACTED]  
17 [REDACTED]  
18 [REDACTED] [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED]

1 have to ask somebody who does that sort of  
2 work.

3 BY MR. BEHRE:

4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED] [REDACTED]  
8 [REDACTED] [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED] [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED] [REDACTED] [REDACTED]  
18 [REDACTED] [REDACTED]  
19 [REDACTED]  
20 [REDACTED] [REDACTED] [REDACTED]  
21 [REDACTED] [REDACTED]  
22 [REDACTED] [REDACTED]  
23 [REDACTED]  
24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED]

## 1 C E R T I F I C A T E

2 I, Lisa Taylor, Registered Professional  
3 Reporter and notary public certify:4 That the foregoing deposition of  
5 Nicholas Del Rosso was taken before me at the time  
6 and place therein set forth at which time the  
7 witness was put under oath by me;8 That the testimony of the witness and all  
9 objections made at the time of the deposition were  
10 recorded stenographically by me and thereafter  
11 transcribed;12 That the foregoing deposition is a true  
13 record of the testimony and of all objections made  
14 at the time of the deposition.15 I further certify that I am neither  
16 counsel for nor related to any party to said action,  
17 nor in any way interested in the outcome thereof.18 My certification as to the accuracy of  
19 this transcript, if it has been reformatted or  
20 altered from its original form in any manner, is  
null and void.21 In witness whereof, I have subscribed my  
22 name this 16th day of February 2023.23  
24  
25  
  
Lisa Taylor26 Registered Professional Reporter  
27 Notary Public

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Case No. 20-CV-954

FARHAD AZIMA, )  
vs. Plaintiff, )  
NICHOLAS DEL ROSSO and VITAL )  
MANAGEMENT SERVICES, INC., )  
Defendants. )

DEPOSITION OF NICHOLAS DEL ROSSO

VOLUME II

(Contains confidential testimony)

8:06 A.M.

TUESDAY, FEBRUARY 14, 2023

By: Denise Myers Byrd, CSR 8340, RPR

1 A P P E A R A N C E S  
2

3 For the Plaintiff:

4 MILLER & CHEVALIER CHARTERED  
5 BY: KIRBY BEHRE, (pro hac vice)  
6 IAN HERBERT, (pro hac vice)  
7 900 16th Street, NW  
8 Washington, DC 20006  
9 (202) 626-5800  
10 KBehre@milchev.com  
11 IHerbert@milchev.com12 WOMBLE BOND DICKINSON (US) LLP  
13 BY: CHRISTOPHER JONES, ESQ.,  
14 555 Fayetteville Street  
15 Suite 1100  
16 Raleigh, NC 27601  
17 (919) 755-2100  
18 Chris.Jones@wbd-us.com

19 For Defendants:

20 NELSON MULLINS RILEY & SCARBOROUGH  
21 BY: BRANDON NEUMAN, ESQ.  
22 MATT GORGA, ESQ.  
23 JOHN BRANCH III, ESQ. (Remote)  
24 301 Hillsborough Street  
25 Suite 1400  
Raleigh, NC 27603  
(919) 329-3800  
Brandon.Neuman@nelsonmullins.com  
Matt.Gorga@nelsonmullins.com26 NELSON MULLINS RILEY & SCARBOROUGH  
27 BY: SAMUEL ROSENTHAL, ESQ.  
28 101 Constitution Avenue NW  
29 Suite 900  
30 Washington, DC 20001  
31 (202) 689-2951  
32 Sam.Rosenthal@nelsonmullins.com

33 Also Present: Farhad Azima (Remote)

1                   was making fairly regular visits to Dubai, I  
2                   said, well, if we can -- I guess, you know, if  
3                   we could coordinate times we would meet.

4   Q.    And did you in fact meet?

5   A.    We did, yes.

6   Q.    And you met in Dubai?

7   A.    Yes.

8   Q.    And who else was present?

9   A.    Patrick Grayson.

10   Q.    And what was discussed?

11   A.    I can't recall now.

12   Q.    What did you --

13   A.    Nothing much. Talking crap.

14   Q.    Well, that's a long way to fly to talk crap,  
15                   right?

16   A.    Well, I wasn't there for him.

17   Q.    What were you there for?

18   A.    I was there for other business.

19   Q.    What did you understand Mr. Jain's expertise to  
20                   be?

21   A.    His expertise is in IT or computer related. He  
22                   was undertaking that for PriceWasserhouse,  
23                   similar sort of --

24   Q.    What need did you have for IT or  
25                   computer-related work that caused you to meet

1 foundation. Misstates his testimony. Vague and  
2 ambiguous. Scope.

3 [REDACTED] [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 BY ATTORNEY BEHRE:

8 [REDACTED]

9 [REDACTED]

10 ATTORNEY NEUMAN: Objection. Calls for  
11 a legal conclusion. Lacks foundation.  
12 Speculation. Scope.

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED] [REDACTED]

20 [REDACTED]

21 BY ATTORNEY BEHRE:

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1

## COURT REPORTER'S CERTIFICATE

2

3                   I, DENISE MYERS BYRD, Court Reporter, CSR 8340,  
4 the officer before whom the foregoing deposition of  
5 NICHOLAS DEL ROSSO was conducted, do hereby certify that the  
6 witness's testimony was taken down by me in stenotype to  
7 the best of my ability and thereafter transcribed under my  
8 supervision; and that the foregoing pages, inclusive,  
9 constitute a true and accurate transcription of the  
10 testimony of the witness.

11

12                  Before completion of the deposition, review of the  
13 transcript [X] was [ ] was not requested. If requested, any  
14 changes made by the deponent (and provided to the reporter)  
during the period allowed are appended hereto.

15

16                  I further certify that I am neither counsel for,  
17 related to, nor employed by any of the parties to this  
18 action, and further, that I am not a relative or employee of  
19 any attorney or counsel employed by the parties thereto, nor  
20 financially or otherwise interested in the outcome of said  
action. Signed this 16th day of February 2023.

21

22

*Denise Myers Byrd*  
Denise Myers Byrd  
CSR 8340, RPR

23

24

25